

ALISON MESLIN, PO Box 11 Big Arm MT. 59910 406-849-6628, 3

EXHIBIT 3

DATE 2-15-11

HB 400

Having served as a trustee on a rural fire board I understand the dilemma of trying to provide the best fire protection with a limited budget. I also greatly appreciate the time and effort that our firefighters and elected officials on all levels contribute to the good of the community.

The issue of billing for emergency responses by fire departments has become an emotional and heated argument between the general public, the governing trustees and the firefighting personnel.

There is obviously much confusion on every level on who can or can't charge for emergency response fees and there is also the question as to whether it is discrimination to only charge a select group of drivers, and if so this could lead to expensive legal suits.

When residents in our district discovered our fire board was signing a contract with a billing company to start charging these fees we protested. We did some research and found several fire departments throughout western Montana were charging these fees. There was obviously no guidelines to follow, except those that were given by the billing companies, as the fees varied from as low as \$75 up to over \$2100. Some bill only at-fault drivers, some bill only non-taxpayers, and some bill everyone. Many do not charge if they don't use tools other charge just for turning up at the scene. Most use a billing company and are content with a 40- 60% return, others plan on using a collection agency in an effort to collect every penny.

We also spoke with fire chiefs and city manager who were opposed to charging fees for accident response.

We searched through the Montana codes looking for guidelines about these fees and could not find the authority for fire districts to charge. In MCA7-33-2105 under Powers and duties of trustees it states the trustees "shall prepare annual budgets and request special levies for budgets." which is done through a mil levy election, asking the tax payers to vote on the issue.

If there are laws already that prohibit these fees then they should be clarified and be enforced.

I believe these variable fees are a tax that will be paid by increased insurance premiums and will be a burden on accident victims whose insurance companies refuse to pay. Although the revenue generated from these fees will benefit the fire departments they will also greatly benefit the billing companies who will receive a percentage and it will open the door for insurance companies to raise their rates.

Passing HB400 to prohibit the emergency service fees would clarify the situation just as ten other states have found it necessary to pass similar laws.

I believe the passage of HB400 will make the law crystal clear and will avoid further animosity between fire departments and the general public.